

S.D.N.Y. – N.Y.C.
17-cr-548
Furman, J.

MANDATE

United States Court of Appeals FOR THE SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 3rd day of August, two thousand twenty-two.

Present:

José A. Cabranes,
Joseph F. Bianco,
*Circuit Judges.**

USDC SDNY
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DOC #:
DATE FILED: Oct 18 2022

In Re: Joshua Adam Schulte,

22-880

Petitioner.

Petitioner, pro se, petitions for a writ of mandamus and moves for in forma pauperis (“IFP”) status. Upon due consideration, it is hereby ORDERED that the IFP motion is GRANTED for the purpose of filing the mandamus petition. It is further ORDERED that the mandamus petition is DENIED because Petitioner has not demonstrated that he lacks “an adequate alternative means” of obtaining relief. *In re Steinhardt Partners, L.P.*, 9 F.3d 230, 233 (2d Cir. 1993); *see also Linde v. Arab Bank, PLC*, 706 F.3d 92, 118 (2d Cir. 2013) (concluding that mandamus “is not to be used as a substitute for appeal” (internal quotation marks omitted)).

FOR THE COURT:

Catherine O’Hagan Wolfe, Clerk of Court

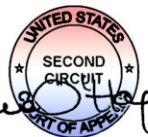
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Catherine O’Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit







* Judge Alison J. Nathan has recused herself from consideration of this motion. Pursuant to Second Circuit Internal Operating Procedure E(b), the matter is being decided by the two remaining members of the panel.

MANDATE ISSUED ON 10/18/2022